

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

In re: DMCA Section 512(h) Subpoena to
YouTube, LLC


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CIVIL ACTION NO. 2:20-MC-14

ORDER

Before the Court is Petitioner Bobby Goldstein Productions, Inc.’s (“BGP”) Notice of Request for Issuance of DMCA Subpoena to Identify Alleged Infringers Pursuant to 17 U.S.C. § 512(h) (the “Notice”). (Dkt. No. 1.) In the Notice, BGP requests that the Court issue a subpoena to identify alleged infringers pursuant to the subpoena provision of the Digital Millennium Copyright Act (“DMCA”). The subpoena provision provides that “[a] copyright owner or a person authorized to act on the owner’s behalf may request the clerk of any United States district court to issue a subpoena to a service provider for identification of an alleged infringer in accordance with this subsection.” 17 U.S.C. § 512(h)(1). To comply with the requirements of the subsection, the requester must file with the clerk “a copy of the notification described in subsection (c)(3)(A),” “a proposed subpoena,” and “a sworn declaration to the effect that the purpose for which the subpoena is sought is to obtain the identity of an alleged infringer and that such information will only be used for the purpose of protecting rights under this title.” *Id.* § 512(h)(2). The Court, having considered the request made to YouTube, LLC (Dkt. No. 1-2 at Exhs. A, B), the proposed subpoena (Dkt. No. 1-3), and the declaration of Jeffrey R. Bragalone (Dkt. No. 1-2), is satisfied that BGP has complied with the requirements as laid out in the subpoena provision of the DMCA. Accordingly, the Clerk of Court is directed to **ISSUE** the subpoena as found in Docket Entry 1-3.

So ORDERED and SIGNED this 16th day of December, 2020.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE